

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: Application of Trevor Charles ROCHE

Serial No.: To be assigned

Art Unit:

Filing Date: Concurrently herewith

Examiner:

For: *Dry Powder Inhalant Composition*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

- ☒ Copies of the references listed on the attached form PTO-1449 as item nos. 9-11 are enclosed
☐ Copies of the references were submitted in parent application Serial No. _____. (37 CFR 1.98(d))
☒ A copy of the International Search Report which issued on International Application No. _____ PCT/GB03/01595 is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 as item nos. 7-8 and 12-13 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

- A. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

- ☐ The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

- B. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:
- (1) a final action under § 1.113 or
 - (2) a notice of allowance under § 1.311,
- whichever occurs first.

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

- ☐ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

Atty. Docket No. PG4715USw

- C. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

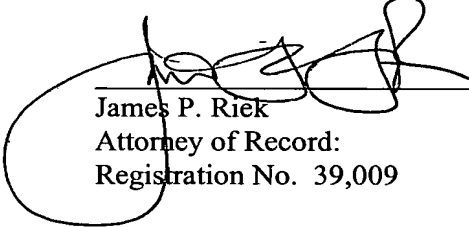
In accordance with the requirements of 37 CFR 1.97(d):

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. **[or]**
- ☐ Applicant hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; and
- ☐ The petition fee set forth in § 1.17(i)(1) (\$180.00) is submitted herewith.

☒ Please charge any required fees to Deposit Account No.07-1392.

☐ A duplicate copy of this paper is attached.

Respectfully Submitted,



James P. Riek
Attorney of Record:
Registration No. 39,009

Date: October 12, 2004
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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT				ATTORNEY DOCKET NO. PG4715USw		SERIAL NO. To be assigned	
				APPLICANT Trevor Charles ROCHE			
				FILING DATE Concurrently herewith		GROUP	
U.S. PATENT DOCUMENTS							
Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
	1.	4,353,365	10/12/1982	HALLWORTH et al.			
	2.	4,668,218	05/26/1987	VIRTANEN			
	3.	4,811,731	03/14/1989	NEWELL et al.			
	4.	5,035,237	07/30/1991	NEWELL et al.			
	5.	5,590,645	01/07/1997	DAVIES et al.			
	6.	5,873,360	02/23/1999	DAVIES et al.			
Continue on page _____							
FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Subclass	Translation Yes No
	7.	EP 0416951 B1	01/12/1994	EPO			X
	8.	WO 99/33853	07/08/1999	WIPO			
	9.	WO 00/28979	05/25/2000	WIPO			X (Abstract)
	10.	WO 00/38811	07/06/2000	WIPO			X
	11.	WO 01/32125	05/10/2001	WIPO			X
	12.	WO 02/15876	02/28/2002	WIPO			
	13.	WO 02/43750	06/06/2002	WIPO			
Continue on page _____							
OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)							
Continue on page _____							
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							